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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

PETER B. DAVIS, Jr.,

Defendant.

Case No. **2:13-cv-01252-GMN-CWH**

CONSENT JUDGMENT

WHEREAS, Plaintiff United States of America, on behalf of the United States Railroad Retirement Board (RRB), filed a Complaint initiating this action against Defendant Peter B. Davis, Jr. (Davis);

WHEREAS, the United States alleges that Davis unlawfully and fraudulently obtained and used unemployment benefits from the RRB by submitting approximately 16 unemployment claim forms via the Internet and falsely stated in each that he had not worked during the claim period dates.

WHEREAS, the United States further alleges that Davis knew each of the 16 separate unemployment claim forms he submitted to the RRB were false or fraudulent, because Davis knew he was employed and receiving income from Walmart, and also knew he was required to report this employment and income as a condition of qualifying for RRB unemployment benefits.

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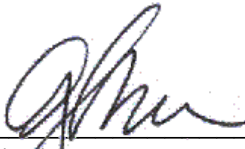
1 WHEREAS, the United States further alleges that Davis's false statements and fraudulent claims
2 were material to the RRB's payment of benefits in the amount of \$12,870.00.

3 WHEREAS, the Davis does not contest the accuracy of these allegations or any allegations set
4 forth in the Complaint filed in this action;

5 **THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED** as follows:


- 6 1. This court has jurisdiction over this matter under 31 U.S.C. §§ 3732 and 28 U.S.C. § 1331,
7 1345, and 1355 and Defendant Davis acknowledges and accepts service of the Complaint in
8 this action.
- 9 2. Defendant Davis acknowledges his liability to the United States and agrees to the entry of
10 Judgment in the amount of \$42,240, which represents the government's double damages of
11 \$25,740 plus three civil penalties in the amount of \$5,500 each, in connection with
12 Defendant Davis's fraudulent receipt of RRB unemployment benefits to which Defendant
13 Davis was not entitled and as is more fully set out in the Complaint filed in this action.
- 14 3. Defendant Davis agrees to notify the United States Attorney's Office within 30 days of any
15 change of address, telephone number, or employment until the judgment debt is paid in full,
16 by providing such information to: U.S. Attorney's Office, 333 Las Vegas Boulevard South,
17 Suite 5000 Las Vegas, Nevada 89101.
- 18 4. The United States will record a judgment lien against Defendant Davis to secure payment of
19 this judgment debt. Without otherwise limiting enforcement of the judgment, the proceeds
20 from the sale of any real estate in which Defendant Davis has an interest may be used to
21 satisfy a portion or all of this judgment debt.
- 22 5. Defendant Davis admits and acknowledges that his actions, which gave rise to the present
23 dispute between the parties, constitute false pretenses, false representations, and/or fraud that
24 resulted in his obtaining federal RRB unemployment benefits to which he was not entitled,
25 and agrees and acknowledges that the debt owed to the United States as set forth herein is
26 non-dischargeable in bankruptcy under 11 U.S.C. § 523.

1 6. Nothing in this Consent Judgment shall be construed to indicate an agreement by the United
2 States concerning the characterization of the amounts paid hereunder for purposes of any
3 proceeding under the Internal Revenue Code or to waive any claim of the Internal Revenue
4 Service against Defendant Davis.


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6 
7 Gloria M. Navarro
United States District Judge

8 Approved by:

DATED: 07/17/2013

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10 
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Las Vegas, Nevada 89129

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